

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 18-50637
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED
May 13, 2019
Lyle W. Cayce
Clerk

Consolidated with 18-50638

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

HOMERO JOSHUA VEGA-CAZARES,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 3:14-CR-1110-1
USDC No. 3:17-CR-1490-1

Before DENNIS, CLEMENT, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Homero Vega-Cazares has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Vega-Cazares has not filed a response. We have

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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reviewed counsel's brief and the relevant portions of the record reflected therein. The *Anders* brief pretermits discussion of Vega-Cazares's guilty plea and revocation of supervised release pursuant to *United States v. Garcia*, 483 F.3d 289, 291 (5th Cir. 2007), on the ground that Vega-Cazares indicated in writing that he wished to appeal only his sentences. A copy of the *Garcia* waiver is attached to the brief, but the document does not make clear whether Vega-Cazares intended to forgo a challenge only to his guilty plea or to both his guilty plea and the decision to revoke his supervised release. Nevertheless, the record includes the transcripts we needed to review the record independently, and our review has not uncovered any nonfrivolous basis for challenging the revocation. *See Anders*, 386 U.S. at 744.

Thus, we concur with counsel's assessment that the appeals present no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEALS ARE DISMISSED. *See* 5TH CIR. R. 42.2.